

**TENNESSEE MOTOR VEHICLE COMMISSION
BOARD MEETING
JULY 11, 2011 10:30 A.M.
CONFERENCE ROOM 160
DAVY CROCKETT TOWER, 500 JAMES ROBERTSON PKWY.
NASHVILLE, TENNESSEE 37243**

ROLL CALL:

	<u>PRESENT</u>	<u>ABSENT</u>
EDDIE ROBERTS	X	
REED TRICKET		X
GEORGE BASS	X	
WILLIAM TARR		X
JOE CLAYTON	X	
KEVIN CULLUM	X	
DONNIE HATCHER	X	
NATE JACKSON	X	
CHAD JONES		X
DON PARR	X	
STAN MCNABB	X	
FARRAR SCHAEFFER	X	
MARK PIRTLE		X
RONNIE FOX	X	

The Tennessee Motor Vehicle Commission Meeting was called to order by Chairman Eddie Roberts on July 11, 2011 Roll Call was taken with a total of (10) member's present.

A Motion was made by Commissioner Joe Clayton, and seconded by Commissioner Farrar Schaeffer, to approve the minutes from the April meeting.

MOTION PASSED UNANIMOUSLY

REVIEW COMMITTEE

The Review Committee advised the Commission that the Committee had discussed the attached legal report with counsel and moved that the Commission adopt the attorney's recommendations.

Motion passed unanimous.

APPEALS

The following appeals were heard by Commission.

Michael T. Lumpkins- Bob Frensley Chrysler Jeep Isuzu, Madison, TN
Staff denied application

Motion was made by Commissioner Ronnie Fox, and seconded by Commissioner Farrar Schaeffer to grant the license.

ROLL CALL VOTE

Eddie Roberts	Yes
George Bass	Abstain
Ronnie Fox	Yes
Joe Clayton	Yes
Don Parr	Yes
Donnie Hatcher	No
Kevin Cullum	Yes
Nate Jackson	Yes
Stan McNabb	No
Farrar Schaeffer	No

Motion passed to grant the license.

Eddie L. Bolton- Summit Automotive, Johnson City, TN
Staff denied application

Motion was made by Commissioner Nate Jackson, and seconded by Commissioner Farrar Schaeffer to grant the license.

ROLL CALL VOTE

Eddie Roberts	Yes
George Bass	Yes
Ronnie Fox	Yes
Joe Clayton	Yes
Don Parr	Yes
Donnie Hatcher	Yes
Kevin Cullum	Yes
Nate Jackson	Yes
Stan McNabb	Yes
Farrar Schaeffer	Yes

Motion passed to grant the license.

Darren T. Scott- Kia of Kingsport, Elizabethton, TN
Staff denied application

Motion was made by Commissioner Kevin Cullum, and seconded by Commissioner Don Parr to grant the license.

ROLL CALL VOTE

Eddie Roberts	No
George Bass	No
Ronnie Fox	Yes
Joe Clayton	Yes
Don Parr	Yes
Donnie Hatcher	Yes
Kevin Cullum	Yes
Nate Jackson	Yes
Stan McNabb	Yes
Farrar Schaeffer	Yes

Motion passed to grant the license.

Robert M. Wright- Integrity Auto Sales, Clarksville, TN
Staff denied application

Motion was made by Commissioner Joe Clayton, and seconded by Commissioner Donnie Hatcher to grant the license.

ROLL CALL VOTE

Eddie Roberts	Yes
George Bass	No
Ronnie Fox	Yes
Joe Clayton	Yes
Don Parr	Yes
Donnie Hatcher	Yes
Kevin Cullum	Yes
Nate Jackson	Yes
Stan McNabb	Yes
Farrar Schaeffer	Yes

Motion passed to grant the license.

Adam B. Smith- East TN Dodge Chrysler Jeep, Crossville, TN
Staff denied application

Motion was made by Commissioner Nate Jackson, and seconded by Commissioner Farrar Schaeffer to deny the license.

ROLL CALL VOTE

Eddie Roberts	Yes
George Bass	Yes
Ronnie Fox	Yes
Joe Clayton	Yes
Don Parr	Yes
Donnie Hatcher	Yes
Kevin Cullum	No
Nate Jackson	Yes
Stan McNabb	Yes
Farrar Schaeffer	Yes

Motion passed to deny the license.

James D. Ritchie- Miracle Chrysler-Dodge-Jeep, Inc., Gallatin, TN
Staff denied application

Motion was made by Commissioner Farrar Schaeffer, and seconded by Commissioner Donnie Hatcher to grant the license.

ROLL CALL VOTE

Eddie Roberts	Yes
George Bass	Yes
Ronnie Fox	Yes
Joe Clayton	Yes
Don Parr	Yes
Donnie Hatcher	Yes
Kevin Cullum	Yes
Nate Jackson	Yes
Stan McNabb	Yes
Farrar Schaeffer	Yes

Motion passed to grant the license.

Jerry Lee Williams-Crown Ford, Nashville, TN
Staff denied application

Motion was made by Commissioner Donnie Hatcher, and seconded by Commissioner Farrar Schaeffer to grant the license.

ROLL CALL VOTE

Eddie Roberts	Yes
George Bass	Yes
Ronnie Fox	Yes
Joe Clayton	Yes
Don Parr	Yes
Donnie Hatcher	Yes
Kevin Cullum	Yes
Nate Jackson	Yes
Stan McNabb	Yes
Farrar Schaeffer	Yes

Motion passed to grant the license.

Allen Duane Jones Jr-The Bargain Lot Inc, Nashville, TN
Staff denied application

Motion was made by Farrar Schaeffer, and seconded by Commissioner George Bass to deny the license.

ROLL CALL VOTE

Eddie Roberts	Yes
George Bass	Yes
Ronnie Fox	Yes
Joe Clayton	Abstain
Don Parr	No
Donnie Hatcher	No
Kevin Cullum	No
Nate Jackson	Yes
Stan McNabb	Yes
Farrar Schaeffer	Yes

Motion passed to deny the license.

James J. Parsons-Garland Buick GMC, LLC, Dickson, TN
Staff denied application
No show

Motion was made by Commissioner Joe Clayton, and seconded by Commissioner Donnie Hatcher to uphold the denial.

Voice vote unanimous

Joey Frazier Auto Sales-Joey Frazier, Waynesboro, TN
Staff denied application

Motion was made by Commissioner Kevin Cullum, and seconded by Commissioner Donnie Hatcher to grant the license.

ROLL CALL VOTE

Eddie Roberts	No
George Bass	Yes
Ronnie Fox	Yes
Joe Clayton	Yes
Don Parr	Yes
Donnie Hatcher	Yes
Kevin Cullum	Yes
Nate Jackson	Yes
Stan McNabb	Yes
Farrar Schaeffer	No

Motion passed to grant the license.

Bell Auto Sales Inc.-Al Nourabadi, Nashville, TN
Staff denied application

Motion was made by Commissioner Donnie Hatcher, and seconded by Commissioner Stan McNabb to deny the license.

ROLL CALL VOTE

Eddie Roberts	Yes
George Bass	Yes
Ronnie Fox	Yes
Joe Clayton	Yes
Don Parr	Yes
Donnie Hatcher	Yes
Kevin Cullum	Yes
Nate Jackson	No
Stan McNabb	Yes
Farrar Schaeffer	Yes

Motion passed to deny the license.

-Commission found that Bell was operating without a license since November 30, 2010. Violation of TCA 55-17-109 (a)(1).

-Bell was operating without a bond from October 22, 2010 to January 1, 2011. During this period without a bond, numerous vehicles were sold. Even with the new bond that Bell presented, it does not cover those vehicles sold during the period

when Bell was without a bond. Thus, consumers who bought vehicles during this time period are not protected by a bond.

-Bell employed an unlicensed salesperson. Violation of TCA 55-17-114(b)(1) - allows for denial of an application for employing any person who has not been licensed as a salesperson.

-No titles on the vehicles in inventory or the vehicles sold.

-No buyer's guides in any of the vehicles.

-123 temporary tags

-Cannot reconcile how many cars were sold because the invoices are not numbered in sequence.

-Each time the investigator went out to Bell, it was still continuing to conduct business after a cease and desist letter was sent by our office. Unlicensed activity.

-The Commission states this was not a matter of forgetfulness or negligence, as Mr. Nourabadi has been in the car business for over 20 years.

Bell Auto Sales II. Al Nourabadi, Murfreesboro, TN
Staff denied application

Since first location was denied, the owner has withdrawn the appeal for this location.

Commission approved the withdrawal.

DIRECTORS REPORT

Since the last Commission meeting in April, 2011 the following actions have been taken:

Dealers Opened, or Relocated107

Active Licensees as of July 1, 2011

Dealers.....3962
Applications in Process.....72
Distributions/Manufacturers131
Auctions.....25
Representatives.....375
Salespeople.....12564
Dismantlers.....344
RV Dealers.....21

RV Manufacturers.....52

Motor Vehicle Show Permits Issued Since April 2011, ...3
Revenue Received \$ 600.00

Motion was made by Donnie Hatcher, and seconded by Commissioner Joe Clayton to approve the Directors Report.

Old Business

New Business

Legal Report

Motion was made by Commissioner Joe Clayton, and seconded by Commissioner Nate Jackson to approve these recommendations made by the Review Committee.

Motion passed unanimous.

Motion was made by Chairman Eddie Roberts, and seconded by Commissioner Donnie Hatcher to adjourn the meeting.

Eddie Roberts, Chairman

Leon Stribling, Executive Director